

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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 DARRELL KING, :  
                   Plaintiff, :  
 v.                  :  
                   :  
 CITY OF BEACON POLICE DEPARTMENT; :  
 and CITY OF BEACON, :  
                   Defendants. :  
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DOC #:
DATE FILED: 12/02/2020

**ORDER**

20 CV 5815 (VB)

By Order dated September 15, 2020 (Doc. #9), the Court instructed plaintiff, who is represented by counsel, to notify the Court by no later than September 21, 2020, whether he intended to file an amended complaint in response to defendants' September 11, 2020, motion to dismiss. The Court sua sponte extended plaintiff's time to comply with the Court's September 15, 2020, order to October 15, 2020. (Doc. #11).

On October 14, 2020, plaintiff's counsel entered a notice of appearance and attempted to file an amended complaint. (Docs. ##12–13). The Clerk rejected plaintiff's amended complaint on the same day and informed plaintiff's counsel that the document contained a filing error. Plaintiff attempted to re-file his amended complaint on October 15, 2020. (Doc. #14). The Clerk again rejected the amended complaint on October 16, 2020 due to filing errors.

On November 10, 2020, the Court ordered plaintiff to re-file the amended complaint and cure any filing deficiencies by November 24, 2020. (Doc. #15)

To date, plaintiff has failed to comply with or respond to the Court's November 10 Order.

The Court will give plaintiff one last opportunity to comply with the Court's orders: By December 9, 2020, plaintiff shall re-file the amended complaint to cure any filing deficiencies. **If plaintiff fails to do so, the Court will deem plaintiff to have abandoned this case, and will dismiss the case without prejudice for failure to prosecute and comply with court orders pursuant to Fed. R. Civ. P. 41(b).**

Dated: December 2, 2020  
 White Plains, NY

SO ORDERED:



Vincent L. Briccetti  
 United States District Judge